## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

RICARDO MANCHA, ID # 32807-177		
Petitioner,	)	
	)	
v.	)	NO. 3-08-CV-633-O
	)	
DAVID BERKEBILE,	)	
	)	
Respondent.	)	

## **FINDINGS OF THE COURT**

After making an independent review of the pleadings, files and records in this case, and of the Findings, Conclusions and Recommendation of the United States Magistrate Judge (Doc. # 10) and the petitioner's objections thereto (Doc. # 11), I am of the opinion that the Findings, Conclusions and Recommendation of the Magistrate Judge are correct and they are hereby adopted and incorporated by reference as the Findings of the Court.

IT IS THEREFORE ORDERED that the petition for writ of mandamus is hereby DENIED.

The clerk of court shall transmit copies of this order to petitioner and to the respondent. SO ORDERED this 22<sup>nd</sup> day of September, 2008.

Reed O'Connor

UNITED STATES DISTRICT JUDGE